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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, JANUARY 15, 2002

APPLICATION OF

OLD DOMINION ELECTRIC COOPERATIVE  
d/b/a COOPERATIVE ENERGY

CASE NO. PUE000345

For a license to conduct  
business as a competitive  
service provider in electric  
and natural gas retail access  
pilot programs

DISMISSAL ORDER

On July 10, 2000, Old Dominion Electric Cooperative d/b/a Cooperative Energy ("ODEC" or "the Company") completed an application with the State Corporation Commission ("Commission") for licensure to conduct business as an electric competitive service provider throughout the Commonwealth of Virginia in conjunction with any electric retail access pilot program approved by the Commission. ODEC subsequently amended its application on August 4, 2000, to seek also licensure as a competitive service provider in natural gas retail access pilot programs. ODEC's amended application to provide natural gas service was completed by a supplemental filing on September 13, 2000.

By Order dated October 27, 2000, ODEC was granted License No. PG-9 to provide competitive natural gas service within the Washington Gas Light Company ("WGL") and Columbia Gas of Virginia, Inc. ("CGV") retail access pilots.<sup>1</sup> In granting the natural gas license, the Commission stated in its Order that the license would expire upon termination of the pilot programs unless otherwise ordered by the Commission.

On June 19, 2001, the Commission entered its Final Order in Case No. PUE010013, adopting its Rules Governing Retail Access to Competitive Energy Services ("Retail Access Rules"), 20 VAC 5-312-10, et seq. This Order provided that each competitive service provider that wished to convert its pilot license to a permanent license to participate in retail access must submit a request to do so in writing to the Commission on or before August 31, 2001. We directed that: (i) each such request must include an attestation that the information provided and updated in its application for a pilot license is true and correct; (ii) the Company must attest that it will abide by all applicable regulations of the Commission, as required by 20 VAC 5-312-40 B; and (iii) the Company must include any changes to information

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<sup>1</sup> By Order dated September 20, 2000, the Commission found, based upon pleadings and oral arguments from our Staff and ODEC, that § 56-587 D of the Code of Virginia requires ODEC to form an affiliate or subsidiary if it desires to participate as a competitive service provider in electric retail access pilot programs.

previously provided to the Commission, as required by 20 VAC 5-312-20 R.

To date, ODEC has not filed a request to convert its natural gas pilot license to a permanent license. Moreover, ODEC has not yet submitted information to the Commission indicating that it has established an affiliate for the purpose of participating as an electric competitive service provider as required by our September 20, 2000, Order. By letter dated October 10, 2001, Counsel for ODEC notified our Staff that ODEC at that time had elected not to participate in electric or natural gas markets. ODEC's counsel further stated that ODEC will let its retail natural gas license lapse and currently had no plans to renew its efforts to obtain a retail electric license.

NOW UPON CONSIDERATION of ODEC's failure to request to convert its pilot license to a permanent license, the Commission is of the opinion and finds that ODEC's pilot license has expired, and this matter should be closed. Accordingly,

IT IS ORDERED THAT:

(1) ODEC's License No. PG-9 to provide competitive natural gas services to customers in conjunction with the WGL and CGV retail access pilots has expired. As a result, ODEC is no longer authorized to act as a competitive service provider in Virginia but may reapply for licensure at any time.

(2) This case is hereby dismissed.